

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARIE VIRGILE et al.,	:
	:
Plaintiffs,	:
	:
-v-	:
	:
	:
NEW DAWN TRANSIT LLC and INDRA	:
FOUCHE,	:
	:
Defendants.	X

16-cv-7404 (KBF)

ORDER

KATHERINE B. FORREST, District Judge:

On September 22, 2016, plaintiffs filed this action alleging violations of the Fair Labor Standards Act, 29 U.S.C. §§ 201 et seq. (“FLSA”), and various provisions of the New York Labor Law. (ECF No. 1.) Plaintiffs allege that venue in this District is proper under 28 U.S.C. § 1391(b)(2). (ECF No. 1 ¶ 48.)

After reviewing the complaint, the Court notes that plaintiffs allege that defendant New Dan Transit LLC is located at 2352 East 69th Street, Brooklyn, NY 11234 (id. ¶¶ 1, 25), that plaintiffs’ bus routes were “to schools on Long Island” (id. ¶ 1), and that each of the plaintiffs resides in Brooklyn (id. ¶¶ 6, 10, 14). The only allegations referencing this District are that New Dawn Transit LLC has “at times” issued paystubs bearing an address of 3621 Provost Avenue, Bronx, NY 10466 (id. ¶ 22), and that New Dawn LLC registered with the New York State Department of State using this address (id. ¶¶ 23-24).

Accordingly, it is hereby ORDERED that plaintiffs shall file a letter setting forth, with greater specificity, the basis on which venue is proper in this District as

opposed to the Eastern District of New York not later than **Friday, October 7, 2016**. If the Court does not receive such correspondence from plaintiffs by that date, the action will be sua sponte transferred to the Eastern District of New York.

IT IS FURTHER ORDERED that plaintiffs shall serve a copy of this Order, as well as their letter response, on defendants, and shall file proof of such service.

SO ORDERED.

Dated: New York, New York
September 23, 2016

A handwritten signature in black ink, appearing to read "K. B. Forrest", is written above a horizontal line.

KATHERINE B. FORREST
United States District Judge